C-482 No. 130 of 2004

Hon'ble Irshad Hussain, J.

Heard Sri Lok Pal Singh learned counsel for the petitioners and perused the record.

This is a petition under section 428 of the Code of Criminal Procedure for quashing of the criminal proceedings.

It is well settled that the powers to quash the criminal proceedings under section 482 of the Code of Criminal Procedure have to be exercised with circumspection and that the material in the case need not be analyzed in detail in order to know as to whether on the basis of the evidence the conviction will be sustained or not. From the perusal of the F.I.R. it is evident that the complainant had been assaulted and was made to receive injuries at the hands of the assailants. Considering this I am not inclined to shift the evidence or material collected during the investigation at this stage. Therefore the petition lack merit and is liable to be dismissed.

The petition is dismissed in limine.

(Irshad Hussain, J.)

Dated: 25-3-2004
ISB